

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

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Christopher Odom,

Plaintiff,

vs.

City of Charleston, et. al.,

Defendants.

Civil Action No. 3:10-cv-4918-RMG

2010 NOV 28 P 12: 26

ORDER

This *pro se* action is before the Court on the Report and Recommendation of Magistrate Judge Joseph R. McCrorey that the Plaintiff's Complaint be dismissed without prejudice and without issuance and service of process. This Report and Recommendation has been made as part of the pre-service review mandated for all *in forma pauperis* actions pursuant to 28 U.S.C. Section 1915 where there exist clear legal bars on the face of the Complaint. Erline Company S.A. v. Johnson, 440 F. 3d 648, 655, n. 4 (4th Cir. 2006).

The Magistrate Judge was assigned this matter for initial review pursuant to 28 U.S.C. Section 636(B) and Local Rule 73.02(B)(2)(d) and (e). The District Court may accept, reject or modify, in whole or in part, the recommendations contained in the Report and Recommendation. 28 U.S.C. Section 636(B)(1). This Court is charged with conducting a *de novo* review of any portion of the Magistrate Judge's report to which specific objection is made.

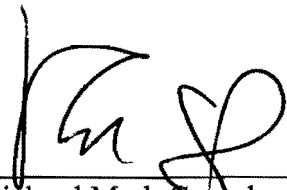
The Court is required to construe *pro se* complaints liberally to allow the development of potentially meritorious claims. While "special judicial solicitude" should be provided in reviewing the complaint of a *pro se* litigant, "the district court is not

required to recognize 'obscure and extravagant claims defying the most concerted efforts to unravel them.'" Weller v. Department of Social Services, 901 F. 2d 387, 391 (4th Cir. 1990).

In Plaintiff's Complaint, the City of Charleston and Matthew J. Friedman, an attorney, are named as defendants and are alleged to have violated multiple constitutional rights of Plaintiff. The claims are asserted in a generalized, conclusory fashion without supporting factual background. Plaintiff seeks monetary damages in the amount of \$500,000 against the named defendants. Plaintiff, however, fails to explain what these specific defendants did or failed to do which resulted in the alleged deprivation of his constitutional rights.

The Magistrate Judge, with considerable patience and deliberation, has attempted to discern the nature of Plaintiff's claims. After carefully reviewing and analyzing the Plaintiff's Complaint, the Magistrate Judge concluded no cognizable federal claim had been asserted. A review of the record by this Court indicates that the Magistrate Judge's Report and Recommendation accurately summarizes the case and applicable law. It is, therefore, **ORDERED** that the Magistrate Judge's Report and Recommendation is adopted as the Order of this Court. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Complaint in this matter is dismissed without prejudice and without issuance and service of process.

AND IT IS SO ORDERED.



Richard Mark Gergel
United States District Court Judge

November 29, 2010
Charleston, South Carolina